

### REMARKS

Claims 1-18 are pending in the present Application, and stand rejected as follows:

- claims 1-5 under 35 U.S.C. §102(e) as being anticipated by Rumbaugh et al. (Rumbaugh);
- claims 6 and 15-17 under 35 U.S.C. §103(a) as being unpatentable over Rumbaugh;
- claims 7-14 under 35 U.S.C. § 103(a) as being unpatentable over Rumbaugh in view of EPA Pub. No. 0617399 A1 to Kuwata et al. (Kuwata); and
- claim 18 under 35 U.S.C. § 103(a) as being unpatentable over Rumbaugh in view of Kubota et al. (Kubota).

Applicant thanks the Examiner for conducting a telephonic interview with Applicant's representative on February 26, 2004. The following comments are in reply to the rejections set forth in the final Office Action dated December 3, 2004, and also serve as a summary of the substance of the February 26, 2004 Examiner interview.

In response to the arguments presented in the Amendment filed October 2, 2003, the Examiner alleges that "when a scan mode changes [based on a selected mode of operation], the timing of the data signal driving the cathode would change accordingly in a matrix-addressed display." Based on this allegation, the Examiner concludes that the primary reference, Rumbaugh (which describes scan control signal output based on a selected mode), "inherently" outputs data signals which are also based on the selected mode of operation. (see Office Action, paragraph 7.)

During the telephonic interview, Applicant's representative noted that, as explained in the October 2, 2003, Amendment, Rumbaugh outputs only a scan control signal based on a selected

mode (i.e., the selected single-scan or multi-scan mode depending on temperature of the field emission display). Contrary to the Examiner's analysis, nowhere does Rumbaugh disclose or suggest that the timing of the data signals supplied to its display device 102 somehow changes when its scan mode changes (for example, from single to multi-scan mode). In fact, Rumbaugh's actual disclosure simply describes how the combination of its scan mode control circuit 130, scan mode switching circuit 150 and video controller circuit 160 switch from single to multi-scan mode of operation as a function of gate voltage, which is used as a temperature indicator (see Id., col. 2, line 24-48; and col. 4, line 27 through col. 5, line 15).

The Examiner acknowledged that Rumbaugh does not explicitly disclose that its data signal is based directly on the selected mode. However, the Examiner alleged that the recitation in claim 1 is not sufficiently clear as to how the data signal is based on the selected mode in Applicant's invention.

In reply to the Examiner's allegation, Applicant's representative noted that an exemplary, non-limiting implementation of a control circuit as claimed in claim 1 is disclosed on pages 21-23 of Applicant's specification which describe changing the current supplied from the column driving circuit as a function of mode (i.e., depending on single- or double-scan mode of operation, current supplied by data signals is such that the current density of the organic EL pixels is not changed).

The Examiner agreed that the specification explains how a data signal may be based on the selected mode according to the invention, and suggested that claim 1 be amended to include a general reference to a current supplied by the data signal being based on the selected mode.

Accordingly, Applicant has amended claim 1 explicitly to recite that a current of the data signal is based on selected mode. As explained during the interview, this is merely a clarifying amendment, and as such does not limit the scope of equivalents covered by "a control circuit" as defined in the original claim 1. No estoppel is created.

As noted during the interview, Applicant respectfully submits that independent claim 1 and its dependent claims 2-14 and 16-18 are patentably distinct from Rumbaugh applied alone or in any reasonable combination with of Kuwata and/or Kubota at least for the reasons set forth above.

At the conclusion of the interview, the Examiner indicated that the features recited in the dependent claim 15 maybe separately patentable, but will require further consideration. Applicant has rewritten claim 15 in independent form including the imitations of the original claim 1, and respectfully requests the Examiner to confirm patentability of this claim over the prior art.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

Amendment Under 37 C.F.R. § 1.116  
U.S. Appln No. 09/974,855

Atty Dkt No. Q66657

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Stan Torgovitsky  
Registration No. 43,958

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: March 3, 2004